

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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DATE FILED: 1/31/2025

CANOO INC.,

Plaintiff,

-against-

DD GLOBAL HOLDINGS LTD.,

Defendant.

1:22-cv-03747-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

This case has been closed since October 22, 2024—subject to a motion to reopen on 30 days' notice—pursuant to advice from both parties that they had reached a settlement in principle. [ECF Nos. 39, 41]. The deadline to move to reopen was extended multiple times at the request of the parties. [ECF Nos. 42, 44, 46, 48, 50]. Immediately prior to the last deadline to reopen the case, Plaintiff advised the Court that Plaintiff and several affiliates have filed a Chapter 7 bankruptcy petition and moved to stay this case, and to extend the deadline to reopen the case until the Chapter 7 trustee is appointed and has time to review the matter. [ECF No. 52]. The Court is now in receipt of Defendant's letter advising the Court of its position regarding Plaintiff's request to stay this case. [ECF No. 54]. Defendant states that it "takes no position with respect to Canoo's request for a stay of this action," but also states that "this litigation should quickly be dismissed" in view of Plaintiff's prior representation that the terms of the settlement had been finalized. [ECF No. 54]. The Court has carefully considered both parties' submissions.

Plaintiff's request for a stay is HEREBY DENIED. This case has been closed for over three months subject to a motion to reopen. Due to the Bankruptcy proceeding, the deadline to move to reopen is extended for 31 days from today, March 3, 2025, to allow the Bankruptcy Court to take preliminary actions including the appointment of a trustee.

IT IS FURTHER ORDERED that the parties shall jointly advise the Court of the status of Plaintiff's bankruptcy case and the settlement on or before February 10, 2025 or within three days of the appointment of a trustee in the case, whichever occurs earlier.

The parties are reminded that failure to comply with this Order or with any order of the Court or comply with the FRCP, the Local Rules for the SDNY or this Court's Individual Practice Rules, or their discovery or other obligations may result in sanctions, including monetary penalties on counsel and/or the parties, dismissal or preclusion of claims, defenses, arguments, or evidence.

SO ORDERED.

Date: January 31, 2025
New York, NY


MARY KAY VYSKOCIL
United States District Judge